IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 20TH OCTOBER 2006 / 28TH ASWINA 1928

Bail Appl..No. 6270 of 2006()

CRIME NO.346/2006 OF PERAMBRA POLICE STATION

PETITIONER

FASILI, S/O.KUNHABDULLA,
KOZHIKOTTUKANDI HOUSE, P.O.PERAMBRA,
KOZHIKODE DISTRICT,
(PERAMBRA POLICE STATION LIMIT).

BY ADV. SRI.P.SANJAY
SRI.A.PARVATHI MENON
SRI.M.MUHAMMED SHAFI

RESPONDENTS:

---

1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE STATION HOUSE OFFICER,
PERAMBRA POLICE STATION,
PERAMBRA, KOZHIKODE DISTRICT.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

- - - - - - - - - - - - - - - - - - - -

B.A. No. 6270 of 2006

- - - - - - - - - - - - - - - - - - - -

Dated this the 20th day of October, 2006

O R D E R

The petitioner apprehends arrest in Crime No.346/2006 of Perambra Police Station, for the offence punishable under Sections 143, 147, 148, 326, 341 and 308 I.P.C., read with Section 149 of the Indian Penal Code. It is alleged that, ten accused, have assaulted the de facto complainant, a mentally ill person, who was found near the Valliakkode bus stop, on 05/08/2006, at about 4 a.m., and caused fracture on his right thigh. The petitioner is hence, before this Court under Section 438 Cr.P.C.

2. After hearing both sides and considering the arguments advanced by both sides, I direct the petitioner to surrender before the Investigating Officer, who is investigating Crime No.346/2006 of Perambra Police Station, on 26/10/2006, between 9.30 a.m and 10 a.m.

3. The Investigating Officer shall interrogate the petitioner and, thereafter, produce him before the court below,

on the same day itself.

4. The learned Magistrate shall hear both sides and pass orders, on merit, also on the same day.

(J.M.JAMES)
Judge

ms